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Attorneys for Defendant
INSITE VISION INCORPORATED
LONG TERM DISABILITY PLAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM H. SMITH III,

Plaintiff,

v.

INSITE VISION INCORPORATED
LONG TERM DISABILITY PLAN,

Defendant.

Case No. C 08-5387 EMC

STIPULATION TO DISMISSAL AND
DISMISSAL OF ACTION ; ORDER

1 Plaintiff William H. Smith III and Defendant Insite Vision Incorporated Long Term
2 Disability Plan, by and through their respective counsel of record, hereby stipulate that
3 this action be, and hereby is, dismissed with prejudice as to all parties with respect to all
4 claims for relief. Each party to bear its own costs of suit.

5
6 DATED: June 10, 2009

GREEN & HUMBERT

7
8 By: /s/ Horace W. Green
9 HORACE W. GREEN
10 Attorneys for Defendant
11 INSITE VISION INCORPORATED
12 LONG TERM DISABILITY PLAN

13 DATED: June 10, 2009

JONES DAY

14
15 By: /s/ Ellinor R. Coder
16 Attorneys for Plaintiff
17 WILLIAM H. SMITH III

18 **ORDER**

19 Good cause appearing,

20 **IT IS HEREBY ORDERED**

21 That this matter be, and hereby is, dismissed with prejudice. Each party to
22 bear its own costs of suit.

23
24 Dated: June 12, 2009

